



ILLINOIS COMMERCE COMMISSION

July 7, 2000

Re: 00-0199

TO ALL PARTIES OF INTEREST:

Enclosed is a copy of the Memorandum from the Hearing Examiner to the Commission regarding recommended action at the Bench Session on July 6, 2000. The Order presented to the Commission was entered with no changes and therefore, is not enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Donna M. Caton".

Donna M. Caton
Chief Clerk

DMC:bjs
Enclosure

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Docket No.: 00-0199
Bench Date: 07-06-00
Deadline: 10-29-00

MEMORANDUM

TO: The Commission
FROM: Larry Jones, Hearing Examiner
DATE: June 22, 2000
SUBJECT: WPS Energy Services, Inc.

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ILLINOIS COMMERCE COMMISSION
CHIEF CLERK'S OFFICE

Application for Certificate of Service Authority under Section 16-115 of the Public Utilities Act.

STATUS: Rehearing was granted, at the request of PE services, on June 1.

PENDING MOTION: Motion to withdraw its rehearing petition, filed by PE Services.

RECOMMENDATION: Entry of the attached draft order concluding the proceedings on rehearing, and affirming the Order entered April 18, subject to certain conditions.

In this proceeding, WPS Energy Services, Inc. ("WPS" or "Applicant"), which is an affiliate of Wisconsin Public Service Corporation and Upper Peninsula Power Company, filed a verified application with this Commission requesting a certificate of service authority in order to become an alternative retail electric supplier ("ARES") in Illinois pursuant to Section 16-115 of the Public Utilities Act ("Act") and 83 Ill. Adm. Code 451. Intervening petitions were filed by Peoples Energy Services Corporation ("PE Services"), which holds a certificate as an ARES, and by Commonwealth Edison Company ("ComEd").

An Order was entered by the Commission on April 18, 2000. Subject to certain conditions, that Order granted an ARES certificate to Applicant for the service territories of ComEd and three other electric utilities.

On May 18, 2000, a petition for rehearing was filed by PE Services. PE Services argued in part that the Commission should grant rehearing, and on rehearing should consider evidence from all interested parties regarding the reciprocity requirements in Section 16-115(d). ComEd did not file an application for rehearing.

On June 1, 2000, the Commission granted PE Services' petition for a rehearing. On June 15, 2000, a hearing was held, on rehearing. Appearances were entered by WPS, PE Services and the Commission Staff. At that time, PE Services made an oral motion to withdraw its rehearing petition. By way of explanation, PE Services represented that ComEd has indicated it would not be participating in the proceeding on rehearing. In PE Services' view, going forward on rehearing in this docket without ComEd's participation on the reciprocity issue would not be productive. WPS and Staff stated that they had no objections to PE Services' motion to withdraw.

In view of the foregoing, the attached draft order would find that the proceedings on rehearing should be concluded, and that the Order entered April 18, 2000 should be affirmed. The draft order further finds that entry of this order on rehearing is not intended to create any presumptions with respect to the reciprocity requirements of Section 16-115(d) in any future proceedings involving WPS or other companies under Sections 16-115(d), 16-115B(b)(3) or other sections of the Act.